

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JARON MALERBA,

Plaintiff,
Counterclaim Defendant,

v.

ELEMENTS INSURANCE, LLC
& YANA HARRIS

Defendants,
Counterclaim Plaintiffs.

C.A. No. 1:18-cv-10292 (FDS)

PROPOSED ORDER
APPROVING CONFIDENTIAL SETTLEMENT OF CLAIMS
AND DISMISSING LAWSUIT WITH PREJUDICE

WHEREAS, the Court has been advised that the parties to this action have reached a confidential settlement of Plaintiff-Counterclaim Defendant Jaron Malerba's claims for alleged (1) violations of sections 149 and 150 of chapter 149 of the Massachusetts General Laws, and of sections 1A and 1B of chapter 151 of the Massachusetts General Laws (the Massachusetts Wage and Hour Laws); (2) violations of section 207(a)(1) of Title 29 of the United States Code (the Fair Labor Standards Act ("FLSA")); and (3) violations of sections 148 and 150 of chapter 149 of the Massachusetts General Laws, and Elements' and Harris' Counterclaims against Malerba;

WHEREAS, Malerba has moved, with Elements' and Harris' consent, for an Order approving the settlement for the purpose of effectuating a valid release with respect to any potential claims under the federal Fair Labor Standards Act, and for dismissal of this lawsuit and Counterclaims pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure;

WHEREAS, the Court has reviewed *in camera* the parties' confidential settlement agreement and finds that the terms are fair, reasonable, and adequate;

NOW THEREFORE, it is hereby ORDERED AND ADJUDGED that the confidential settlement agreement is approved and the matter is hereby DISMISSED, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Date: July 31, 2018


United State District Court Judge